



## Decision

### in case 1113/2018/TM on the European Commission's decision not to web stream the event "No Child Left Behind "

*The case concerned the event "No Child Left Behind: Families not institutions - EU external action championing children's rights" which was co-organised by an NGO and the European Commission. Access to the event was by invitation only. The complainant was concerned that the Commission had decided not to web stream the event.*

*The Commission based its decision on the protection of privacy of the young people, including children, who participated in the event.*

*The Ombudsman found that the Commission acted reasonably and found no maladministration in this case.*

## Background to the complaint

1. The complainant is the director of an NGO promoting the rights of adopted children. He wanted the European Commission to web stream the event "No Child Left Behind: Families not institutions - EU external action championing children's rights" co-organised by the Commission and another NGO working in the area of children's rights.
2. Access to the event was by invitation only. The complainant asked the Commission to web stream it. The Commission replied that, to protect the privacy of young people participating in the event, it decided not to web stream it.
3. Not satisfied with the Commission's response, the complainant turned to the Ombudsman.



## The inquiry

4. The Ombudsman inquired into the Commission's decision not to web stream the event.

5. In the course of the inquiry, the Ombudsman received the Commission's reply.

## Arguments presented to the Ombudsman

6. **The complainant** argued that the Commission should have web streamed the event because it was financed with public funds and because children's rights is of concern to all EU citizens.

7. **In its reply, the Commission** expressed its commitment to the principle of transparency. However, it also pointed out that it must take into account the legitimate interests of confidentiality and the right to privacy. In this case, the Commission had decided not to web stream the event due to the participation of several young people, including children, who shared sensitive personal testimonies during the event. In line with the UN Convention on the Rights of the Child<sup>1</sup>, the co-organisers of the event had to protect the privacy of these children. It also pointed out that there was no legal obligation for the Commission to web stream events, and that it had ensured visibility of the event and towards the public by other means<sup>2</sup>.

## The Ombudsman's assessment

8. The Commission's explanation that it could not web stream the event because it had to protect the privacy of the children participating in it is reasonable and legitimate. In addition, the Commission provided the complainant with recordings of the opening and closing panels and the official video clip of the event. In the course of the Ombudsman's inquiry, the Commission also informed the complainant that it will publish a detailed report on the outcome of the event on its website.

9. The Ombudsman therefore considers that the Commission acted appropriately.

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<sup>1</sup> According to Article 16 of the UN Convention on the Rights of the Child, children have the right to privacy, and the law should protect them from attacks against their way of life, their good name, their families and their homes.

<sup>2</sup> The Commission has published online: (i) the opening speech of Commissioners Mimica and Stylianides; (ii) the closing speech of Commissioner Mimica; (iii) press releases for the event; (iv) official photos of the event; (v) videos of the opening and closing panels; (vi) the official video clip of the event.



## Conclusion

Based on the inquiry into this complaint, the Ombudsman closes this case with the following conclusion<sup>3</sup>:

**There was no maladministration by the European Commission.**

The complainant and the European Commission will be informed of this decision.

Marta Hirsch-Ziemińska  
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<sup>3</sup> Information on the review procedure can be found on the Ombudsman's [website](http://www.ombudsman.europa.eu/en/resources/otherdocument.faces/en/70669/html.bookmark):  
<http://www.ombudsman.europa.eu/en/resources/otherdocument.faces/en/70669/html.bookmark>